2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

3 May 2010

Original: English

New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by New Zealand

Article I

1. New Zealand views the commitment of nuclear-weapon States not to contribute to the proliferation of nuclear weapons or explosive devices under this article as a core component of broader nuclear non-proliferation efforts. This commitment is also important in the context of the threat of the acquisition of such items by non-State actors.

Article II

2. New Zealand is in full compliance with its commitments as contained in this article. Its obligations under the Non-Proliferation Treaty are legislated in the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987. New Zealand's concerns about compliance by other non-nuclear-weapon State parties to the Treaty have been expressed in various forums, including at the International Atomic Energy Agency (IAEA).

Article III

3. New Zealand's safeguards agreement with IAEA came into force on 29 February 1972. New Zealand concluded an additional protocol to the agreement on 24 September 1998. In 2001, IAEA assessed New Zealand to be in full compliance with all its safeguards commitments. With no nuclear weapons, no nuclear energy generation, no nuclear reactors and no production of uranium or other relevant material, New Zealand has only very minor activities subject to safeguards. It is supportive of IAEA's decision and efforts to modify the small quantities protocol, to address weaknesses in the safeguards system identified by IAEA.

4. New Zealand applies export controls to materials and dual-use goods that can be used in a nuclear weapons programme. It coordinates these measures with other members of the Nuclear Suppliers Group, which New Zealand joined in 1994.

10-34016 (E) 110510

Please recycle

Article IV

5. New Zealand reaffirms the inalienable right of States parties to peaceful nuclear technology, as long as it is exercised in conformity with articles I, II and III of the Treaty.

6. New Zealand has been active at such forums as the International Atomic Energy Agency General Conference in promoting close attention to the safe transport of radioactive materials and radioactive waste. It is concerned that there be the highest possible safety standards and that they be applied fully, that coastal and other interested States receive notification in advance of shipments, and that adequate liability arrangements be in place.

Article V

7. New Zealand supports the outcome of the 1995 Review and Extension Conference that article V should be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty.

8. New Zealand ratified the Comprehensive Nuclear-Test-Ban Treaty in March 1999 and enacted it in the Nuclear-Test-Ban Act 1999. A ban on nuclear testing is also included in the South Pacific Nuclear Free Zone Treaty and the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987. New Zealand actively supports efforts to achieve the entry into force of the Treaty. At the General Assembly in 2009, New Zealand, with Australia and Mexico, was a core sponsor of resolution 64/69, entitled "Comprehensive Nuclear-Test-Ban Treaty", which urged all States that have not yet done so to ratify the Treaty without delay.

Article VI

9. New Zealand takes very seriously the obligations under article VI, the commitments adopted in the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" and the 13 practical steps agreed upon at the 2000 Review Conference.

10. With its partners in the New Agenda Coalition, New Zealand has worked hard to promote negotiations in good faith relating to the cessation of the nuclear arms race and to nuclear disarmament. In this context, it draws strength from the 1996 advisory opinion of the International Court of Justice on the illegality of the threat or use of nuclear weapons.

11. At the General Assembly in 2009, New Zealand, with the New Agenda Coalition, was a lead sponsor of resolution 64/57, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", which highlighted the central role of the Non-Proliferation Treaty and called upon States to abide fully by their commitments.

Thirteen steps

Step 1

12. New Zealand ratified the Comprehensive Nuclear-Test-Ban Treaty in March 1999, having taken an active part in its negotiation. At the General Assembly in 2009, New Zealand was a core sponsor of resolution 64/69 on the Comprehensive Nuclear-Test-Ban Treaty, which reiterated calls for universal ratification of that

Treaty. Pending the Treaty's entry into force, New Zealand has been active in the establishment of an international monitoring system and has set up six monitoring stations on New Zealand territory. It cooperates closely with Fiji, the Cook Islands and Kiribati on the installation of monitoring stations within the Pacific region.

Step 2

13. New Zealand endorsed a joint ministerial statement on the Comprehensive Nuclear-Test-Ban Treaty in 2009, which called for "continuing and sustained voluntary adherence to a moratorium" on nuclear weapon test explosions or any other nuclear explosions pending the Treaty's entry into force. New Zealand worked with Pacific countries to put in place the South Pacific Nuclear Free Zone Treaty, which bans nuclear testing. In 1987, it also established a New Zealand nuclear-free zone, with the passage of the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act.

Step 3

14. New Zealand strongly supported the programme of work adopted by the Conference on Disarmament on 29 May 2009, which would have seen a negotiation commencing on a fissile material treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space. It remains disappointed that the Conference was unable to implement its programme of work in 2009 and that it has been unable to adopt a further programme of work in 2010. New Zealand will continue to support moves to overcome this blockage. Commencement of negotiations on a fissile material treaty without preconditions would make a significant contribution to nuclear disarmament and non-proliferation.

Step 4

15. New Zealand strongly supported the programme of work adopted by the Conference on Disarmament on 29 May 2009, which would have seen a negotiation commencing on a fissile material treaty and substantive discussions on nuclear disarmament, negative security assurances and outer space.

Step 5

16. New Zealand has argued, in partnership with the New Agenda Coalition, that irreversibility in nuclear disarmament, nuclear reductions and other related nuclear arms control measures is imperative. New Zealand and the New Agenda Coalition were core sponsors of General Assembly resolution 64/57, which reaffirmed that nuclear disarmament and non-proliferation are mutually reinforcing processes requiring urgent irreversible progress on both fronts.

Step 6

17. New Zealand, in partnership with the New Agenda Coalition, urges States to live up to the unequivocal undertaking jointly agreed at the 2000 Review Conference on the total elimination of nuclear arsenals. This undertaking remains extant. New Zealand has reminded States through various statements of their obligations in the context of the Non-Proliferation Treaty. The unequivocal undertaking on the part of all Treaty signatory States is a foundation on which the New Agenda Coalition continues to build.

Step 7

18. New Zealand welcomes the recent signature by the President of the United States of America and the President of the Russian Federation of a new strategic arms reduction treaty (START) and urges both sides to ratify the treaty as soon as possible. New Zealand emphasizes through the New Agenda Coalition, however, that reductions in deployments and in operational status cannot substitute for irreversible destruction of weapons; they are only an interim step towards the goal of the total elimination of nuclear weapons.

Step 8

19. New Zealand supported the Trilateral Initiative among the United States of America, the Russian Federation and IAEA.

Step 9

20. New Zealand supports the full range of measures outlined in this step and remains committed to achieving progress on these measures at the 2010 Review Conference.

21. New Zealand was pleased to promote a resolution at the General Assembly in 2008, along with Chile, Malaysia, Nigeria, Sweden and Switzerland, calling for action to lower the operational readiness of nuclear weapons systems. Resolution 63/41, entitled "Decreasing the operational readiness of nuclear weapons systems" attracted a strong level of support. New Zealand will be looking to build on this solid foundation in both the Non-Proliferation Treaty and United Nations contexts and has submitted a working paper to the 2010 Review Conference (NPT/CONF.2010/WP.10) containing recommendations to take this issue forward.

22. New Zealand strongly believes that greater transparency by the nuclear-weapon States on their implementation of article VI through systematic reporting would help build international confidence and foster a climate conducive to further progress on disarmament. In this connection, it has submitted a working paper with Australia calling for systematic article VI reporting by all Non-Proliferation Treaty States parties, in particular the nuclear-weapon States (see (NPT/CONF.2010/WP.40).

Step 10

23. New Zealand recognizes and welcomes the fact that all non-nuclear-weapon States have already accepted full controls on fissile materials. These controls are verified and administered by IAEA. New Zealand urges nuclear-weapon States to adopt similar commitments in this area and notes that the New Agenda Coalition's working paper for the 2010 Review Conference (NPT/CONF.2010/WP.8) contains a recommendation to this effect.

24. New Zealand supports the early negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material or other nuclear explosive devices. It supports efforts currently under way in the Conference on Disarmament to secure negotiations on a fissile material treaty.

Step 11

25. The New Zealand Government engages in a wide range of disarmament work relating to weapons of mass destruction and conventional weapons. Through active membership of the Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological Weapons Convention, it campaigns for progress towards the total elimination of weapons of mass destruction. New Zealand also played a leading role in international efforts to better regulate the use of certain conventional weapons, in particular in the development of the Convention on Cluster Munitions, which New Zealand ratified on 22 December 2009 and which will enter into force on 1 August 2010. There is close cooperation between New Zealand and its Pacific neighbours on efforts to reduce and control the illicit trade in small arms and light weapons, and New Zealand remains strongly committed to implementing the Programme of Action on Small Arms and Light Weapons and to a successful negotiation of an arms trade treaty. New Zealand also belongs to four major export control regimes, namely the Australia Group, the Wassenaar Arrangement, the Nuclear Suppliers Group and the Missile Technology Control Regime.

Step 12

26. New Zealand submitted a report to each of the Preparatory Committees for the eighth review conference of the Non-Proliferation Treaty setting out its progress with regard to each article of the Treaty (see NPT/CONF.2010/PC.I/17, NPT/CONF.2010/PC.II/11 and Corr.1, NPT/CONF.2010/PC.III/10).

Step 13

27. New Zealand has given strong support to a system of strengthened IAEA safeguards, including in regional disarmament discussions. The IAEA safeguards system is an essential component of the global non-proliferation regime. IAEA safeguards provide assurance that States are meeting their undertakings under the Treaty and provide a mechanism for States to demonstrate their compliance. Universal application of the integrated safeguards system, including the additional protocols, would promote collective security, and New Zealand calls upon all States that have not yet done so to conclude such agreements at the earliest possible date.

Article VII

28. New Zealand is a staunch advocate of the role of nuclear-weapon-free zones in contributing to nuclear disarmament and non-proliferation. It is a full party to the South Pacific Nuclear Free Zone Treaty of 1985 (the Treaty of Rarotonga, also enacted in the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987). All the independent countries of the South Pacific are now covered by the Treaty, and four of the nuclear-weapon States (the United Kingdom of Great Britain and Northern Ireland, China, France and the Russian Federation) have ratified protocols giving security assurances to the region. The United States has signed the protocols.

29. New Zealand was pleased to work with Brazil in the General Assembly to promote resolution 64/44, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas". As a result of the welcome entry into force of the Treaty of Pelindaba on 15 July 2009, all nuclear-weapon-free zones in the southern hemisphere and adjacent areas are now in force.

Article VIII

30. New Zealand supports the text of the Non-Proliferation Treaty as it stands and will participate fully in the eighth Review Conference of the Treaty in 2010.

Article IX

31. New Zealand continues to emphasize the importance of the universalization of the Non-Proliferation Treaty and calls upon India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States in accordance with article IX.

32. The withdrawal by the Democratic People's Republic of Korea from the Non-Proliferation Treaty and its non-compliance with IAEA inspections are of concern to New Zealand. New Zealand strongly supports the Six-Party Talks and hopes that this process will eventually lead the Democratic People's Republic of Korea to return to active membership of the Treaty, meet its Treaty obligations and resume cooperation with IAEA.

Article X

33. New Zealand recognizes the sovereign right of all States parties to withdraw from the Treaty in accordance with the provisions of article X. It believes that the issue of the continuation of safeguards on nuclear material and equipment remaining in the territory or under the control of the withdrawing party should be addressed.